

PATENT

Attorney Docket No.: SHIM1130

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Toshio Miyata

Art Unit:

1616

Application No.:

10/089,789

Examiner:

K.M. George

Filing Date:

August 19, 2002

Confirmation No.:

1099

Title:

CARBONYL STRESS-DECREASING AGENT

MAIL STOP RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. § 1.97, enclosed is a reference relating to the above-identified application. For the convenience of the Examiner, the reference is listed on the attached Form PTO-1449 and a copy of the reference is enclosed herewith. A copy of the Supplementary European Search Report listing the reference also is enclosed.

It is respectfully requested that the reference be considered in the examination of this application and its consideration be made of written record in the application file.

## **CERTIFICATION UNDER 37 CFR §1.8**

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service with sufficient postage as first class mail on this date, June 3, 2004, in an envelope addressed to: MAIL STOP RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Gregory P. Austin

(Name of Person Mailing Paper)

Gionalura P. Quati

June 3, 2004

(Date)

In re Application of:

Toshio Miyata

Application No.: 10/089,789

Filed: August 19, 2002

Page 2

No fee is deemed necessary in connection with the filing of this Information Disclosure Statement as the item of information contained in this statement was cited in a communication - from a foreign patent office in a counterpart foreign application, the communication being dated April 23, 2004, which is not more than three months prior to the filing of this statement. However, if any fee is required, authorization is hereby given to charge the amount of any such fee, or credit

Respectfully submitted,

**PATENT** 

Attorney Docket No.: SHIM1130

Date: June 3, 2004

Lisa A. Haile, J.D., Ph.D.

Registration No. 38,347 Telephone: (858) 677-1456

Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP 4365 Executive Drive, Suite 1100 San Diego, California 92121-2133 **USPTO CUSTOMER NO. 28213** 

any overpayment, to Deposit Account No. 50-1355.

FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office			Docket I	Docket No.: SHIM1130			Application No.: 10/089,789		
•			Applica	Applicant: Toshio Miyata  Filing Date: August 19, 2002			Confirmation No.: 1099  Group Art Unit: 1616		
INFORMAT BY APPLICA	/	SPIOSURE STATEME	Filing D						
	A JUN	0 7 2004	U.S. PATENT	DOCUMENTS					
EXAM. INITIALS	₹ <sub>IB</sub>	DESCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE		
		FOI	REIGN PATE	ENT DOCUMEN	TS				
EXAM. INITIALS		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION		
<u> </u>									
	O	THER DOCUMENT	ΓS (Including	Author, Title, D	ate, Pertin	ent Pages)			
	AH	Ruggiero et al., "Re Diabetologia (Supp.			ed sugars ar	nd dicarbor	yl compounds"		

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form 1449 6402250.1 2102595-4

	,	i .							
FORM PTO- U.S. Departme Trademark Of	ent of Co	ommerce Patent and	Docket 1	Docket No.: SHIM1130			Application No.: 10/089,789		
•		IPE	Applica	Applicant: Toshio Miyata			Confirmation No.: 1099		
INFORMATI BY APPLICA	NT/	SCLOSURESTATEME		Filing Date: August 19, 2002			Group Art Unit: 1616		
	BATES	J G AND	J.S. PATENT	DOCUMENTS					
EXAM. INITIALS		BAOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE		
•							<u> </u>		
		FOR	REIGN PATE	ENT DOCUMEN	TS				
EXAM. INITIALS		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION		
	0	THER DOCUMENT	ΓS (Including	Author, Title, D	ate, Pertin	ent Pages)			
	AH Ruggiero et al., "Reaction of metformin with reduced sugars and dicarbonyl compou Diabetologia (Supp. 1), 40:A310 (1997)								
·									
						·			
EXAMINE	R			DATE CONSI	DATE CONSIDERED				

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form 1449 6402250.1 2102595-4